

In the Senate of the United States,

October 8 (legislative day, October 2), 1998.

Resolved, That the bill from the House of Representatives (H.R. 3809) entitled “An Act to authorize appropriations for the United States Customs Service for drug interdiction, and for other purposes.”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Drug Free Borders Act*
3 *of 1998”.*

1 **TITLE I—AUTHORIZATION OF AP-**
 2 **PROPRIATIONS FOR UNITED**
 3 **STATES CUSTOMS SERVICE**
 4 **FOR ENHANCED INSPECTION,**
 5 **TRADE FACILITATION, AND**
 6 **DRUG INTERDICTION**

7 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) *DRUG ENFORCEMENT AND OTHER NONCOMMER-*
 9 *CIAL OPERATIONS.*—Subparagraphs (A) and (B) of section
 10 301(b)(1) of the Customs Procedural Reform and Sim-
 11 plification Act of 1978 (19 U.S.C. 2075(b)(1)(A) and (B))
 12 are amended to read as follows:

13 “(A) \$997,300,584 for fiscal year 2000.

14 “(B) \$1,100,818,328 for fiscal year 2001.”.

15 (b) *COMMERCIAL OPERATIONS.*—Clauses (i) and (ii)
 16 of section 301(b)(2)(A) of such Act (19 U.S.C.
 17 2075(b)(2)(A)(i) and (ii)) are amended to read as follows:

18 “(i) \$990,030,000 for fiscal year 2000.

19 “(ii) \$1,009,312,000 for fiscal year 2001.”.

20 (c) *AIR AND MARINE INTERDICTION.*—Subparagraphs
 21 (A) and (B) of section 301(b)(3) of such Act (19 U.S.C.
 22 2075(b)(3)(A) and (B)) are amended to read as follows:

23 “(A) \$229,001,000 for fiscal year 2000.

24 “(B) \$176,967,000 for fiscal year 2001.”.

1 (d) *SUBMISSION OF OUT-YEAR BUDGET PROJEC-*
 2 *TIONS.—Section 301(a) of such Act (19 U.S.C. 2075(a)) is*
 3 *amended by adding at the end the following:*

4 “(3) *By no later than the date on which the President*
 5 *submits to the Congress the budget of the United States Gov-*
 6 *ernment for a fiscal year, the Commissioner of Customs*
 7 *shall submit to the Committee on Ways and Means of the*
 8 *House of Representatives and the Committee on Finance*
 9 *of the Senate the projected amount of funds for the succeed-*
 10 *ing fiscal year that will be necessary for the operations of*
 11 *the Customs Service as provided for in subsection (b).”.*

12 **SEC. 102. CARGO INSPECTION AND NARCOTICS DETECTION**
 13 **EQUIPMENT FOR THE UNITED STATES-MEX-**
 14 **ICO BORDER, UNITED STATES-CANADA BOR-**
 15 **DER, AND FLORIDA AND GULF COAST SEA-**
 16 **PORTS.**

17 (a) *FISCAL YEAR 2000.—Of the amounts made avail-*
 18 *able for fiscal year 2000 under section 301(b)(1)(A) of the*
 19 *Customs Procedural Reform and Simplification Act of 1978*
 20 *(19 U.S.C. 2075(b)(1)(A)), as amended by section 101(a)*
 21 *of this Act, \$100,036,000 shall be available until expended*
 22 *for acquisition and other expenses associated with imple-*
 23 *mentation and deployment of narcotics detection equipment*
 24 *along the United States-Mexico border, the United States-*

1 *Canada border, and Florida and the Gulf Coast seaports,*
2 *as follows:*

3 *(1) UNITED STATES-MEXICO BORDER.—For the*
4 *United States-Mexico border, the following:*

5 *(A) \$6,000,000 for 8 Vehicle and Container*
6 *Inspection Systems (VACIS).*

7 *(B) \$11,000,000 for 5 mobile truck x-rays*
8 *with transmission and backscatter imaging.*

9 *(C) \$12,000,000 for the upgrade of 8 fixed-*
10 *site truck x-rays from the present energy level of*
11 *450,000 electron volts to 1,000,000 electron volts*
12 *(1-MeV).*

13 *(D) \$7,200,000 for 8 1-MeV pallet x-rays.*

14 *(E) \$1,000,000 for 200 portable contraband*
15 *detectors (busters) to be distributed among ports*
16 *where the current allocations are inadequate.*

17 *(F) \$600,000 for 50 contraband detection*
18 *kits to be distributed among all southwest border*
19 *ports based on traffic volume.*

20 *(G) \$500,000 for 25 ultrasonic container in-*
21 *spection units to be distributed among all ports*
22 *receiving liquid-filled cargo and to ports with a*
23 *hazardous material inspection facility.*

24 *(H) \$2,450,000 for 7 automated targeting*
25 *systems.*

1 (I) \$360,000 for 30 rapid tire deflator sys-
2 tems to be distributed to those ports where port
3 runners are a threat.

4 (J) \$480,000 for 20 portable Treasury En-
5 forcement Communications Systems (TECS) ter-
6 minals to be moved among ports as needed.

7 (K) \$1,000,000 for 20 remote watch surveil-
8 lance camera systems at ports where there are
9 suspicious activities at loading docks, vehicle
10 queues, secondary inspection lanes, or areas
11 where visual surveillance or observation is ob-
12 scured.

13 (L) \$1,254,000 for 57 weigh-in-motion sen-
14 sors to be distributed among the ports with the
15 greatest volume of outbound traffic.

16 (M) \$180,000 for 36 AM traffic information
17 radio stations, with 1 station to be located at
18 each border crossing.

19 (N) \$1,040,000 for 260 inbound vehicle
20 counters to be installed at every inbound vehicle
21 lane.

22 (O) \$950,000 for 38 spotter camera systems
23 to counter the surveillance of customs inspection
24 activities by persons outside the boundaries of

1 *ports where such surveillance activities are oc-*
2 *curring.*

3 *(P) \$390,000 for 60 inbound commercial*
4 *truck transponders to be distributed to all ports*
5 *of entry.*

6 *(Q) \$1,600,000 for 40 narcotics vapor and*
7 *particle detectors to be distributed to each border*
8 *crossing.*

9 *(R) \$400,000 for license plate reader auto-*
10 *matic targeting software to be installed at each*
11 *port to target inbound vehicles.*

12 *(S) \$1,000,000 for a demonstration site for*
13 *a high-energy relocatable rail car inspection sys-*
14 *tem with an x-ray source switchable from*
15 *2,000,000 electron volts (2-MeV) to 6,000,000*
16 *electron volts (6-MeV) at a shared Department of*
17 *Defense testing facility for a two-month testing*
18 *period.*

19 *(2) UNITED STATES-CANADA BORDER.—For the*
20 *United States-Canada border, the following:*

21 *(A) \$3,000,000 for 4 Vehicle and Container*
22 *Inspection Systems (VACIS).*

23 *(B) \$8,800,000 for 4 mobile truck x-rays*
24 *with transmission and backscatter imaging.*

25 *(C) \$3,600,000 for 4 1-MeV pallet x-rays.*

1 (D) \$250,000 for 50 portable contraband de-
2 tectors (busters) to be distributed among ports
3 where the current allocations are inadequate.

4 (E) \$300,000 for 25 contraband detection
5 kits to be distributed among ports based on traf-
6 fic volume.

7 (F) \$240,000 for 10 portable Treasury En-
8 forcement Communications Systems (TECS) ter-
9 minals to be moved among ports as needed.

10 (G) \$400,000 for 10 narcotics vapor and
11 particle detectors to be distributed to each border
12 crossing based on traffic volume.

13 (H) \$600,000 for 30 fiber optic scopes.

14 (I) \$250,000 for 50 portable contraband de-
15 tectors (busters) to be distributed among ports
16 where the current allocations are inadequate;

17 (J) \$3,000,000 for 10 x-ray vans with par-
18 ticle detectors.

19 (K) \$40,000 for 8 AM loop radio systems.

20 (L) \$400,000 for 100 vehicle counters.

21 (M) \$1,200,000 for 12 examination tool
22 trucks.

23 (N) \$2,400,000 for 3 dedicated commuter
24 lanes.

1 (O) \$1,050,000 for 3 automated targeting
2 systems.

3 (P) \$572,000 for 26 weigh-in-motion sen-
4 sors.

5 (Q) \$480,000 for 20 portable Treasury En-
6 forcement Communication Systems (TECS).

7 (3) *FLORIDA AND GULF COAST SEAPORTS.*—For
8 Florida and the Gulf Coast seaports, the following:

9 (A) \$4,500,000 for 6 Vehicle and Container
10 Inspection Systems (VACIS).

11 (B) \$11,800,000 for 5 mobile truck x-rays
12 with transmission and backscatter imaging.

13 (C) \$7,200,000 for 8 1-MeV pallet x-rays.

14 (D) \$250,000 for 50 portable contraband de-
15 tectors (busters) to be distributed among ports
16 where the current allocations are inadequate.

17 (E) \$300,000 for 25 contraband detection
18 kits to be distributed among ports based on traf-
19 fic volume.

20 (b) *FISCAL YEAR 2001.*—Of the amounts made avail-
21 able for fiscal year 2001 under section 301(b)(1)(B) of the
22 Customs Procedural Reform and Simplification Act of 1978
23 (19 U.S.C. 2075(b)(1)(B)), as amended by section 101(a)
24 of this Act, \$9,923,500 shall be for the maintenance and
25 support of the equipment and training of personnel to

1 *maintain and support the equipment described in sub-*
 2 *section (a).*

3 *(c) ACQUISITION OF TECHNOLOGICALLY SUPERIOR*
 4 *EQUIPMENT; TRANSFER OF FUNDS.—*

5 *(1) IN GENERAL.—The Commissioner of Customs*
 6 *may use amounts made available for fiscal year 2000*
 7 *under section 301(b)(1)(A) of the Customs Procedural*
 8 *Reform and Simplification Act of 1978 (19 U.S.C.*
 9 *2075(b)(1)(A)), as amended by section 101(a) of this*
 10 *Act, for the acquisition of equipment other than the*
 11 *equipment described in subsection (a) if such other*
 12 *equipment—*

13 *(A)(i) is technologically superior to the*
 14 *equipment described in subsection (a); and*

15 *(ii) will achieve at least the same results at*
 16 *a cost that is the same or less than the equip-*
 17 *ment described in subsection (a); or*

18 *(B) can be obtained at a lower cost than the*
 19 *equipment described in subsection (a).*

20 *(2) TRANSFER OF FUNDS.—Notwithstanding any*
 21 *other provision of this section, the Commissioner of*
 22 *Customs may reallocate an amount not to exceed 10*
 23 *percent of—*

24 *(A) the amount specified in any of subpara-*
 25 *graphs (A) through (R) of subsection (a)(1) for*

1 *equipment specified in any other of such sub-*
 2 *paragraphs (A) through (R);*

3 *(B) the amount specified in any of subpara-*
 4 *graphs (A) through (Q) of subsection (a)(2) for*
 5 *equipment specified in any other of such sub-*
 6 *paragraphs (A) through (Q); and*

7 *(C) the amount specified in any of subpara-*
 8 *graphs (A) through (E) of subsection (a)(3) for*
 9 *equipment specified in any other of such sub-*
 10 *paragraphs (A) through (E).*

11 **SEC. 103. PEAK HOURS AND INVESTIGATIVE RESOURCE EN-**
 12 **HANCEMENT FOR THE UNITED STATES-MEX-**
 13 **ICO AND UNITED STATES-CANADA BORDERS,**
 14 **FLORIDA AND GULF COAST SEAPORTS, AND**
 15 **THE BAHAMAS.**

16 *Of the amounts made available for fiscal years 2000*
 17 *and 2001 under subparagraphs (A) and (B) of section*
 18 *301(b)(1) of the Customs Procedural Reform and Sim-*
 19 *plification Act of 1978 (19 U.S.C. 2075(b)(1)(A) and (B)),*
 20 *as amended by section 101(a) of this Act, \$159,557,000, in-*
 21 *cluding \$5,673,600, until expended, for investigative equip-*
 22 *ment, for fiscal year 2000 and \$220,351,000 for fiscal year*
 23 *2001 shall be available for the following:*

24 *(1) A net increase of 535 inspectors, 120 special*
 25 *agents, and 10 intelligence analysts for the United*

1 *States-Mexico border and 375 inspectors for the*
2 *United States-Canada border, in order to open all*
3 *primary lanes on such borders during peak hours and*
4 *enhance investigative resources.*

5 *(2) A net increase of 285 inspectors and canine*
6 *enforcement officers to be distributed at large cargo*
7 *facilities as needed to process and screen cargo (in-*
8 *cluding rail cargo) and reduce commercial waiting*
9 *times on the United States-Mexico border and a net*
10 *increase of 125 inspectors to be distributed at large*
11 *cargo facilities as needed to process and screen cargo*
12 *(including rail cargo) and reduce commercial waiting*
13 *times on the United States-Canada border.*

14 *(3) A net increase of 40 inspectors at sea ports*
15 *in southeast Florida to process and screen cargo.*

16 *(4) A net increase of 70 special agent positions,*
17 *23 intelligence analyst positions, 9 support staff, and*
18 *the necessary equipment to enhance investigation ef-*
19 *forts targeted at internal conspiracies at the Nation's*
20 *seaports.*

21 *(5) A net increase of 360 special agents, 30 intel-*
22 *ligence analysts, and additional resources to be dis-*
23 *tributed among offices that have jurisdiction over*
24 *major metropolitan drug or narcotics distribution*
25 *and transportation centers for intensification of ef-*

1 *forts against drug smuggling and money-laundering*
 2 *organizations.*

3 (6) *A net increase of 2 special agent positions to*
 4 *re-establish a Customs Attache office in Nassau.*

5 (7) *A net increase of 62 special agent positions*
 6 *and 8 intelligence analyst positions for maritime*
 7 *smuggling investigations and interdiction operations.*

8 (8) *A net increase of 50 positions and additional*
 9 *resources to the Office of Internal Affairs to enhance*
 10 *investigative resources for anticorruption efforts.*

11 (9) *The costs incurred as a result of the increase*
 12 *in personnel hired pursuant to this section.*

13 **SEC. 104. AIR AND MARINE OPERATION AND MAINTENANCE**
 14 **FUNDING.**

15 (a) *FISCAL YEAR 2000.—Of the amounts made avail-*
 16 *able for fiscal year 2000 under subparagraphs (A) and (B)*
 17 *of section 301(b)(3) of the Customs Procedural Reform and*
 18 *Simplification Act of 1978 (19 U.S.C. 2075(b)(3) (A) and*
 19 *(B)) as amended by section 101(c) of this Act, \$130,513,000*
 20 *shall be available until expended for the following:*

21 (1) *\$96,500,000 for Customs aircraft restoration*
 22 *and replacement initiative.*

23 (2) *\$15,000,000 for increased air interdiction*
 24 *and investigative support activities.*

1 (3) \$19,013,000 for marine vessel replacement
2 and related equipment.

3 (b) *FISCAL YEAR 2001.*—Of the amounts made avail-
4 able for fiscal year 2001 under subparagraphs (A) and (B)
5 of section 301(b)(3) of the Customs Procedural Reform and
6 Simplification Act of 1978 (19 U.S.C. 2075(b)(3) (A) and
7 (B)) as amended by section 101(c) of this Act, \$75,524,000
8 shall be available until expended for the following:

9 (1) \$36,500,000 for Customs Service aircraft res-
10 toration and replacement.

11 (2) \$15,000,000 for increased air interdiction
12 and investigative support activities.

13 (3) \$24,024,000 for marine vessel replacement
14 and related equipment.

15 **SEC. 105. COMPLIANCE WITH PERFORMANCE PLAN RE-**
16 **QUIREMENTS.**

17 As part of the annual performance plan for each of
18 the fiscal years 2000 and 2001 covering each program activ-
19 ity set forth in the budget of the United States Customs
20 Service, as required under section 1115 of title 31, United
21 States Code, the Commissioner of Customs shall establish
22 performance goals and performance indicators, and comply
23 with all other requirements contained in paragraphs (1)
24 through (6) of subsection (a) of such section with respect

1 *to each of the activities to be carried out pursuant to sec-*
2 *tions 102 and 103 of this Act.*

3 **SEC. 106. COMMISSIONER OF CUSTOMS SALARY.**

4 (a) *IN GENERAL.*—

5 (1) *Section 5315 of title 5, United States Code,*
6 *is amended by striking the following item:*

7 “*Commissioner of Customs, Department of*
8 *Treasury.*”.

9 (2) *Section 5314 of title 5, United States Code,*
10 *is amended by inserting the following item:*

11 “*Commissioner of Customs, Department of*
12 *Treasury.*”.

13 (b) *EFFECTIVE DATE.*—*The amendments made by this*
14 *section shall apply to fiscal year 1999 and thereafter.*

15 **SEC. 107. PASSENGER PRECLEARANCE SERVICES.**

16 (a) *CONTINUATION OF PRECLEARANCE SERVICES.*—

17 *Notwithstanding section 13031(f) of the Consolidated Om-*
18 *nibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f))*

19 *or any other provision of law, the Customs Service shall,*

20 *without regard to whether a passenger processing fee is col-*

21 *lected from a person departing for the United States from*

22 *Canada and without regard to whether funds are appro-*

23 *priated pursuant to subsection (b), provide the same level*

24 *of enhanced preclearance customs services for passengers ar-*

25 *iving in the United States aboard commercial aircraft*

1 *originating in Canada as the Customs Service provided for*
 2 *such passengers during fiscal year 1997.*

3 (b) *AUTHORIZATION OF APPROPRIATIONS FOR*
 4 *PRECLEARANCE SERVICES.*—*Notwithstanding section*
 5 *13031(f) of the Consolidated Omnibus Budget Reconcili-*
 6 *ation Act of 1985 (19 U.S.C. 58c(f)) or any other provision*
 7 *of law, there are authorized to be appropriated, from the*
 8 *date of enactment of this Act through September 30, 2001,*
 9 *such sums as may be necessary for the Customs Service to*
 10 *ensure that it will continue to provide the same, and where*
 11 *necessary increased, levels of enhanced preclearance customs*
 12 *services as the Customs Service provided during fiscal year*
 13 *1997, in connection with the arrival in the United States*
 14 *of passengers aboard commercial aircraft whose flights*
 15 *originated in Canada.*

16 **TITLE II—CUSTOMS** 17 **PERFORMANCE REPORT**

18 **SEC. 201. CUSTOMS PERFORMANCE REPORT.**

19 (a) *IN GENERAL.*—*Not later than 120 days after the*
 20 *date of enactment of this Act, the Commissioner of Customs*
 21 *shall prepare and submit to the appropriate committees the*
 22 *report described in subsection (b).*

23 (b) *REPORT DESCRIBED.*—*The report described in this*
 24 *subsection shall include the following:*

1 (1) *IDENTIFICATION OF OBJECTIVES; ESTABLISH-*
2 *MENT OF PRIORITIES.—*

3 (A) *An outline of the means the Customs*
4 *Service intends to use to identify enforcement*
5 *priorities and trade facilitation objectives.*

6 (B) *The reasons for selecting the objectives*
7 *contained in the most recent plan submitted by*
8 *the Customs Service pursuant to section 1115 of*
9 *title 31, United States Code.*

10 (C) *The performance standards against*
11 *which the appropriate committees can assess the*
12 *efforts of the Customs Service in reaching the*
13 *goals outlined in the plan described in subpara-*
14 *graph (B).*

15 (2) *IMPLEMENTATION OF THE CUSTOMS MOD-*
16 *ERNIZATION ACT.—*

17 (A) *A review of the Customs Service’s im-*
18 *plementation of title VI of the North American*
19 *Free Trade Agreement Implementation Act, com-*
20 *monly known as the “Customs Modernization*
21 *Act”, and the reasons why elements of that Act,*
22 *if any, have not been implemented.*

23 (B) *A review of the effectiveness of the in-*
24 *formed compliance strategy in obtaining higher*
25 *levels of compliance, particularly compliance by*

1 *those industries that have been the focus of the*
2 *most intense efforts by the Customs Service to en-*
3 *sure compliance with the Customs Modernization*
4 *Act.*

5 *(C) A summary of the results of the reviews*
6 *of the initial industry-wide compliance assess-*
7 *ments conducted by the Customs Service as part*
8 *of the agency's informed compliance initiative.*

9 *(3) IMPROVEMENT OF COMMERCIAL OPER-*
10 *ATIONS.—*

11 *(A) Identification of standards to be used in*
12 *assessing the performance and efficiency of the*
13 *commercial operations of the Customs Service,*
14 *including entry and inspection procedures, clas-*
15 *sification, valuation, country-of-origin deter-*
16 *minations, and duty drawback determinations.*

17 *(B) Proposals for—*

18 *(i) improving the performance of the*
19 *commercial operations of the Customs Serv-*
20 *ice, particularly the functions described in*
21 *subparagraph (A), and*

22 *(ii) eliminating lengthy delays in ob-*
23 *taining rulings and other forms of guidance*
24 *on United States customs law, regulations,*
25 *procedures, or policies.*

1 (C) *Alternative strategies for ensuring that*
2 *United States importers, exporters, customs bro-*
3 *kers, and other members of the trade community*
4 *have the information necessary to comply with*
5 *the customs laws of the United States and to*
6 *conduct their business operations accordingly.*

7 (4) *REVIEW OF ENFORCEMENT RESPONSIBIL-*
8 *ITIES.—*

9 (A) *A review of the enforcement responsibil-*
10 *ities of the Customs Service.*

11 (B) *An assessment of the degree to which the*
12 *current functions of the Customs Service overlap*
13 *with the functions of other agencies and an iden-*
14 *tification of ways in which the Customs Service*
15 *can avoid duplication of effort.*

16 (C) *A description of the methods used to en-*
17 *sure against misuse of personal search authority*
18 *with respect to persons entering the United*
19 *States at authorized ports of entry.*

20 (5) *STRATEGY FOR COMPREHENSIVE DRUG*
21 *INTERDICTION.—*

22 (A) *A comprehensive strategy for the Cus-*
23 *toms Service's role in United States drug inter-*
24 *diction efforts.*

1 (B) *Identification of the respective roles of*
2 *cooperating agencies, such as the Drug Enforce-*
3 *ment Administration, the Federal Bureau of In-*
4 *vestigation, the Coast Guard, and the intelligence*
5 *community, including—*

6 (i) *identification of the functions that*
7 *can best be performed by the Customs Serv-*
8 *ice and the functions that can best be per-*
9 *formed by agencies other than the Customs*
10 *Service; and*

11 (ii) *a description of how the Customs*
12 *Service plans to allocate the additional drug*
13 *interdiction resources authorized by the*
14 *Drug Free Borders Act of 1998.*

15 (6) *ENHANCEMENT OF COOPERATION WITH THE*
16 *TRADE COMMUNITY.—*

17 (A) *Identification of ways to expand co-*
18 *operation with United States importers and cus-*
19 *toms brokers, United States and foreign carriers,*
20 *and other members of the international trade*
21 *and transportation communities to improve the*
22 *detection of contraband before it leaves a foreign*
23 *port destined for the United States.*

1 (B) *Identification of ways to enhance the*
2 *flow of information between the Customs Service*
3 *and industry in order to—*

4 (i) *achieve greater awareness of poten-*
5 *tial compliance threats;*

6 (ii) *improve the design and efficiency*
7 *of the commercial operations of the Customs*
8 *Service;*

9 (iii) *foster account-based management;*

10 (iv) *eliminate unnecessary and burden-*
11 *some regulations; and*

12 (v) *establish standards for industry*
13 *compliance with customs laws.*

14 (7) *ALLOCATION OF RESOURCES.—*

15 (A) *An outline of the basis for the current*
16 *allocation of inspection and investigative person-*
17 *nel by the Customs Service.*

18 (B) *Identification of the steps to be taken to*
19 *ensure that the Customs Service can detect any*
20 *misallocation of the resources described in sub-*
21 *paragraph (A) among various ports and a de-*
22 *scription of what means the Customs Service has*
23 *for reallocating resources within the agency to*
24 *meet particular enforcement demands or com-*
25 *mercial operations needs.*

1 (8) *AUTOMATION AND INFORMATION TECH-*
2 *NOLOGY.*—

3 (A) *Identification of the automation needs*
4 *of the Customs Service and an explanation of the*
5 *current state of the Automated Commercial Sys-*
6 *tem and the status of implementing a replace-*
7 *ment for that system.*

8 (B) *A comprehensive strategy for reaching*
9 *the technology goals of the Customs Service, in-*
10 *cluding—*

11 (i) *an explanation of the proposed ar-*
12 *chitecture of any replacement for the Auto-*
13 *mated Commercial System and how the ar-*
14 *chitecture of the proposed replacement sys-*
15 *tem best serves the core functions of the Cus-*
16 *toms Service;*

17 (ii) *identification of public and private*
18 *sector automation projects that are com-*
19 *parable and that can be used as a bench-*
20 *mark against which to judge the progress of*
21 *the Customs Service in meeting its tech-*
22 *nology goals;*

23 (iii) *an estimate of the total cost for*
24 *each automation project currently under-*

1 way at the Customs Service and a timetable
2 for the implementation of each project; and
3 (iv) a summary of the options for fi-
4 nancing each automation project.

5 (9) *PERSONNEL POLICIES.*—

6 (A) *An overview of current personnel prac-*
7 *tices, including a description of—*

- 8 (i) *performance standards;*
9 (ii) *the criteria for promotion and ter-*
10 *mination;*
11 (iii) *the process for investigating com-*
12 *plaints of bias and sexual harassment;*
13 (iv) *the criteria used for conducting in-*
14 *ternal investigations;*
15 (v) *the protection, if any, that is pro-*
16 *vided for whistleblowers; and*
17 (vi) *the methods used to discover and*
18 *eliminate corruption within the Customs*
19 *Service.*

20 (B) *Identification of workforce needs for the*
21 *future and training needed to ensure Customs*
22 *Service personnel stay abreast of developments in*
23 *international business operations and inter-*
24 *national trade that affect the operations of the*
25 *Customs Service, including identification of any*

1 *situations in which current personnel policies or*
2 *practices may impede achievement of the goals of*
3 *the Customs Service with respect to both enforce-*
4 *ment and commercial operations.*

5 *(c) APPROPRIATE COMMITTEES.—For purposes of this*
6 *section, the term “appropriate committees” means the Com-*
7 *mittee on Finance of the Senate and the Committee on*
8 *Ways and Means of the House of Representatives.*

Amend the title so as to read: “An Act to authorize appropriations for the United States Customs Service for fiscal years 2000 and 2001.”.

Attest:

Secretary.

105TH CONGRESS
2^D SESSION

H. R. 3809

AMENDMENTS